

U.S.A. vs Hector Olivera-Torres No. 08mj0530

The Court finds excludable delay, under the section indicated by check (☒),
commenced on 6/3/08 and ended on 10/23/08; (☒ XN)
and ended on _____ . (_____)

- 3161(h)
____ (1) (A) Exam or hrg for mental or physical incapacity
____ (1) (B) NARA examination (28:2902)
____ (1) (D) State or Federal trials or other charges pending
____ (1) (E) Interlocutory appeals
____ (1) (F) Pretrial motions (from flg to hrg or other prompt dispo)
____ (1) (G) Transfers from other district (per FRCrP 20, 21 & 40)
____ (1) (J) Proceedings under advisement not to exceed thirty days
____ Misc proc: Parole or prob rev, deportation, extradition
____ (1) (H) Transportation from another district or to/from examination
or hospitalization in ten days or less
____ (1) (I) Consideration by Court of proposed plea agreement
____ (2) Prosecution deferred by mutual agreement
____ (3) (A) (B) Unavailability of defendant or essential witness
☒ (4) Period of mental or physical incompetence of defendant to
stand trial
____ (5) Period of NARA commitment or treatment
____ (6) Superseding indictment and/or new charges
____ (7) Defendant awaiting trial of co-defendant when no severance
has been granted
____ (8) (A) (B) Continuances granted per (h) (8) -use "T" alone if more than
one of the reasons below are given in support of continuance
____ (8) (B) (I) 1) Failure to grant a continuance in the proceeding
would result in a miscarriage of justice and
the ends of justice outweigh the best interest
of the public and the defendant in a speedy trial.
(Continuance - miscarriage of justice)
____ 2) Failure to grant a continuance of the trial would result in
a miscarriage of justice as the defendant has tendered a
guilty plea to a magistrate judge and is awaiting a
determination as to whether the plea will be accepted.
(Continuance - tendered a guilty plea)
____ (8) (B) (ii) 2) Case unusual or complex
____ (8) (B) (iii) 3) Indictment following arrest cannot be filed in thirty (30) days
____ (8) (B) (iv) 4) Continuance granted in order to obtain or substitute counsel,
or give reasonable time to prepare
(Continuance re counsel)
____ 3161(I) Time up to withdrawal of guilty plea
____ 3161(b) Grand jury indictment time extended thirty (30) more days

Date 6/3/08

Wme
Judge's Initials

A
B
C
D
E
F
G
H
6
7
I
M
N
O
P
R
T
T1
T2
T3
T4
U
W